

**LEGISLATIVE SERVICES AGENCY  
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

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**FISCAL IMPACT STATEMENT**

**LS 7668**

**BILL NUMBER:** SB 465

**NOTE PREPARED:** Feb 10, 2005

**BILL AMENDED:**

**SUBJECT:** Use of cattle guards.

**FIRST AUTHOR:** Sen. Steele

**FIRST SPONSOR:**

**BILL STATUS:** CR Adopted - 1<sup>st</sup> House

**FUNDS AFFECTED:** X GENERAL  
X DEDICATED  
FEDERAL

**IMPACT:** State & Local

**Summary of Legislation:** This bill provides that the law that prohibits allowing livestock to run at large does not apply when a person's livestock is on property through which a county highway passes, if the county executive of a county with a population of less than 50,000 has granted permission for the property to have cattle guards or other devices.

**Effective Date:** Upon passage.

**Explanation of State Expenditures:**

**Explanation of State Revenues:** This bill could reduce the number of Class B misdemeanors, if any, that are committed as a result of violating the law that prohibits allowing livestock to run at large when a person's livestock is on property through which a county highway passes. The bill exempts cases in which the person's livestock is on property through which a county highway passes if the county executive of a county with a population of less than 50,000 has granted permission for the property to have cattle guards or other devices.

If fewer court cases occur, fewer fines will be collected, which could reduce revenue to both the Common School Fund and the state General Fund. However, the impact is not expected to be significant. The maximum fine for a Class B misdemeanor is \$1,000. Criminal fines would be deposited in the Common School Fund. If the case would have been filed in a circuit, superior, or county court, 70% of the \$120 court fee that would have been assessed and collected when a guilty verdict was entered would have been deposited in the state General Fund. If the case would have been filed in a city or town court, 55% of the fee would have been deposited in the state General Fund.

**Explanation of Local Expenditures:** This bill could result in a reduction, by an expected insignificant amount, of Class B misdemeanor convictions. A Class B misdemeanor is punishable by up to 180 days in jail. The average daily cost to incarcerate a prisoner in a county jail is approximately \$44.

**Explanation of Local Revenues:** If fewer court actions occur, revenues from local court fees could be reduced. However, the impact is not expected to be significant. The number of convictions for allowing livestock to run at large on property through which a county highway passes is not known.

The bill applies to counties with fewer than 50,000. Based in th 2000 Census, 66 counties have a population of fewer than 50,000. County populations are given below.

<b>Counties with Fewer Than 50,000</b>	
Henry County	48,508
Noble County	46,275
Dearborn County	46,109
Boone County	46,107
Lawrence County	45,922
Marshall County	45,128
Shelby County	43,445
Jackson County	41,335
Cass County	40,930
DeKalb County	40,285
Dubois County	39,674
Knox County	39,256
Huntington County	38,075
Montgomery County	37,629
Miami County	36,082
Putnam County	36,019
Wabash County	34,960
LaGrange County	34,909
Harrison County	34,325
Clinton County	33,866
Adams County	33,625
Steuben County	33,214
Greene County	33,157
Gibson County	32,500
Jefferson County	31,705
Whitley County	30,707
Jasper County	30,043
Daviess County	29,820
Wells County	27,600
Jennings County	27,554
Randolph County	27,401

Washington County	27,223
Counties with Fewer Than 50,000 (continued)	
Posey County	27,061
Clay County	26,556
Ripley County	26,523
Fayette County	25,588
White County	25,267
Decatur County	24,555
Starke County	23,556
Scott County	22,960
Franklin County	22,151
Jay County	21,806
Owen County	21,786
Sullivan County	21,751
Fulton County	20,511
Spencer County	20,391
Carroll County	20,165
Orange County	19,306
Perry County	18,899
Rush County	18,261
Fountain County	17,954
Parke County	17,241
Vermillion County	16,788
Tipton County	16,577
Brown County	14,957
Newton County	14,566
Blackford County	14,048
Pulaski County	13,755
Pike County	12,837
Crawford County	10,743
Martin County	10,369
Benton County	9,421
Switzerland County	9,065
Warren County	8,419
Union County	7,349
Ohio County	5,623

**State Agencies Affected:**

**Local Agencies Affected:** Counties with fewer than 50,000; trial courts and local law enforcement agencies.

**Information Sources:**

**Fiscal Analyst:** Bernadette Bartlett, 317-232-9586.